

REMARKS

This application has been amended so as to place it in condition for allowance at the time of the next Official Action.

The Official Action acknowledges applicants' election without traverse of Group I, claims 1-9 and 13-16, as well as the cancellation of claims 10-12. The Official Action also acknowledges the receipt of papers submitted under 35 USC §119(a)-(d), and the Information Disclosure Statements filed September 27, 2001 and April 22, 2002.

The Official Action requires a substitute specification and identifies specific passages that underlie such requirement. Please note that applicants include herewith the requested substitute specification with the appropriate markings.

Applicants affirmatively state that the substitute specification adds no new matter to the present application.

The Official Action rejects claims 1-9 and 13-16 under 35 USC §112, second paragraph, as being indefinite. The Official Action identifies particular language underlying this rejection. Applicants have carefully reviewed the identified claims and amended the same as necessary to eliminate the bases for this rejection.

The Official Action rejects the following sets of claims under 35 USC §103(a) as being unpatentable over the identified set of references: claims 1 and 4-6 over VANDEMOERE

et al. 5,600,391 in view of AKAO 5,851,743; claims 2 and 3 over VANDEMOERE et al. in view of AKAO and further in view of LEVASSEUR 4,968,463; claims 7 and 9 over VANDEMOERE et al. in view of AKAO; claim 8 over VANDEMOERE et al. in view of AKAO and further in view of LEVASSEUR; claim 13 over VANDEMOERE et al. in view of AKAO and applicants' admitted prior art; and claims 14-16 over VANDEMOERE et al. in view of AKAO and applicants' admitted prior art, and further in view of LEVASSEUR.

Underlying each of these obviousness rejections is the combination of VANDEMOERE et al. and AKAO. The Official Action states that the VANDEMOERE et al. reference teaches the fundamental claimed process of recycling used molded consumer products including the steps of pulverizing/crushing the used consumer product; using the crushed/pulverized material as a molding material; and molding the recycled plastic parts. The Official Action admits, however, that the primary VANDEMOERE et al. reference does not teach adding carbon black and an antioxidant to the molding material.

It is this feature for which the secondary AKAO reference is offered. While the AKAO reference does mention the use of carbon black, applicants suggest that the combination of references nevertheless fail to teach or suggest the invention recited in the present claims.

In the present invention, carbon black is used as an additive for absorbing/capturing decomposed products. This is in stark contrast to the known prior art, including the AKAO reference, in which carbon black is used strictly as a coloring material. AKAO specifically refers to a colored packaging for the photosensitive material, and using carbon black as the coloring agent for the packaging material, but such reference provides no acknowledgement whatsoever that the carbon black absorbs/captures decomposed products. In fact, none of the applied references provide any indication that carbon black, or for that matter any other material, may be added for absorbing/capturing decomposed products.

Moreover, the AKAO reference does not refer to recycling the packaging material. Even if it is common practice to employ recycled materials for molding the packaging material of AKAO, in any event the AKAO reference does not suggest that carbon black is added to the packaging material during such recycling process.

The additional references applied beyond VANDEMOERE et al. and AKAO in some of the obviousness rejections are applied for the teaching or suggestion of features other than the use of carbon black. Each of such additional references still fails to overcome the shortcomings of the VANDEMOERE et al. and AKAO

references as to the underlying principles of each of the rejected claims.

In addition to the amendments described above, applicants have added new claims 21-24. Of these, claims 21 and 22 are independent claims, from which claims 23 and 24 depend, respectively.

Claim 21 recites adding to the crushed material a means for preventing the crushed material from decomposing into decomposed products that have adverse effects on photographic characteristics of photosensitive materials. Claim 23 recites that such means comprises carbon black. Similarly, claim 22 recites adding to the crushed material a means for absorbing/capturing decomposed products resulting from decomposition of the crushed material, with the decomposed products having an adverse effect on photographic characteristics of photosensitive materials, and claim 24 depends from claim 22 and recites that such means comprises carbon black.

These claims recite characteristics that are recognized by none of the prior art as attributable to any composition, let alone carbon black. Accordingly, each of the applied combination of references fails to teach or suggest the invention as recited in such new claims.

In view of the present amendment and the foregoing remarks, it is believed the present application has been placed

in condition for allowance. Reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. §1.16 or under 37 C.F.R. §1.17.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read 'Robert J. Patch', written over a horizontal line.

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APPENDIX:

The Appendix includes the following items:

- substitute specification and marked-up copy